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individually; and on behalf of all those similarly  
situated

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Attorneys for Defendants DIAMOND PARKING,  
INC. and DIAMOND PARKING SERVICES,  
LLC

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

ROBERT TERUEL, individually; and  
on behalf of all those similarly situated,

Plaintiff,

vs.

DIAMOND PARKING, INC., a  
Washington Corporation; DIAMOND  
PARKING SERVICES, LLC, a  
Washington Limited Liability  
Company; and DOES 1 through 500,  
inclusive,

Defendants.

Case No. C 07-03388 MJJ

**STIPULATION AND [PROPOSED]  
ORDER TO STAY ALL  
PROCEEDINGS INCLUDING;  
MOTION TO TRANSFER VENUE  
AND FRCP RULE 26 DEADLINES;  
DECLARATION OF JAMES A.  
KRUTCIK**

1       **WHEREAS** on May 21, 2007, Robert Teruel, individually and on behalf of all  
 2 those similarly situated (“PLAINTIFFS”) filed an action against Diamond Parking,  
 3 Inc. and Diamond Parking Services, LLC (“DEFENDANTS”) alleging various  
 4 violations of California wage and hour law;

5       **WHEREAS**, on June 28, 2007, DEFENDANTS filed a Notice to Adverse  
 6 Parties of Removal to Federal Court and the Removal was granted;

7       **WHEREAS**, on July 27, 2007, DEFENDANTS filed a Motion to Transfer  
 8 Venue pursuant to 28 U.S.A. 1404(a), which motion is set for hearing on September  
 9 18, 2007;

10       **WHEREAS**, the parties have agreed to a mediation and informal exchange of  
 11 discovery, and to stay the entire action, including the Motion to Transfer Venue, for a  
 12 period of 90 days pending the outcome of efforts to mediate this matter;

13       **IT IS THEREFORE AGREED AND STIPULATED**, by and between  
 14 PLAINTIFFS and DEFENDANTS, through their respective counsel of record, all  
 15 matters in this action be stayed for 120 days including:

- 16       1. A stay of DEFENDANTS’ Motion to Transfer Venue pursuant to 28  
 17 U.S.C. 1404 (a), and continuance of the hearing on the motion for a  
 18 convenient date 90 days hence; and
- 19       2. The deadline(s) for Initial Disclosures under Federal Rules of Civil  
 20 Procedure 26; and
- 21       3. All formal discovery under the Federal Rules of Civil Procedure,  
 22 including depositions; and
- 23       4. Any Motion for Certification of Class Action

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28       ///

1 **IT IS SO STIPULATED**

2  
3 DATED: August 10, 2007

**KRUTCIK & GEORGIN**

4  
5 By: /S/  
6 James A. Krutcik, Esq.  
7 Attorneys for PLAINTIFF  
8

9 DATED: August 10, 2007

**DAVIS WRIGHT TREMAINE LLP**

10  
11 By: /S/  
12 John P. LeCrone, Esq.  
13 Attorneys for DEFENDANTS,  
14 DIAMOND PARKING, INC. and  
15 DIAMOND PARKING  
16 SERVICES, LLC  
17

18 **IT IS SO ORDERED**

19  
20 DATED: \_\_\_\_\_

21 UNITED STATES DISTRICT COURT  
22 JUDGE  
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DECLARATION OF JAMES A. KRUTCIK IN SUPPORT OF  
STIPULATION TO STAY MOTION TO TRANSFER VENUE AND  
PENDING FRCP RULE 26 DEADLINES

I, James A. Krutcik, hereby declare as follows:

1. I am an attorney at law duly licensed to practice before all of the courts of the State of California and the United States District Court for the Northern, Central and Southern Districts of California. I am a partner in the law firm of Krutcik & Georggin, attorneys for Plaintiff, Robert Teruel. I have personal knowledge of the facts stated herein, and if called as a witness, I could and would competently testify thereto.

2. On May 21, 2007, Robert Teruel, individually and on behalf of all those similarly situated ("PLAINTIFFS") filed an action against Diamond Parking, Inc. ("DEFENDANTS") alleging various violations of California wage and hour law by DIAMOND PARKING, INC.

3. On June 28, 2007 DEFENDANTS filed a Notice to Adverse Parties of Removal to Federal Court and the Removal was granted.

4. On July 27, 2007, DIAMOND PARKING INC. filed a Motion to Transfer Venue pursuant to 28 U.S.A. 1404(a).

5. On August 2, 2007, the parties agreed to Stay all proceedings including the Motion to Transfer Venue; FRCP Rule 26 requirements; all formal discovery under the Federal Rules of Civil Procedure, including depositions; and any Motion for Certification of Class Action, pending the outcome of efforts to Mediate this matter.

Executed this 14th day of August, 2007 at Mission Viejo, California.

\_\_\_\_\_/S/\_\_\_\_\_  
JAMES A. KRUTCIK, ESQ.